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MEMO ENDORSED

November 21, 2024

at page 2

VIA ECF

Hon. Edgardo Ramos
United States District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007
Courtroom 619

Re: Ana Segui v. Solar Mosaic LLC, et al., Case No. 1:24-cv-00968-ER
Defendant Solar Mosaic LLC's Letter Motion for Leave to Manually Lodge Audio
Files and Lodge One Audio File Under Seal

Your Honor:

Troutman Pepper Hamilton Sanders LLP represents Solar Mosaic LLC (“Solar Mosaic”) in the above matter. We write pursuant to Local Civil Rule 7.1(d) and Rule 5(d)(2)(A) of the Federal Rules of Civil Procedure. Specifically, Solar Mosaic requests leave to manually lodge two audio files as Exhibits H and J to its Motion to Compel Arbitration (Dkt. 60) (“Motion”). The audio recordings are being submitted via email to chambers as well as through CD and flash drive delivered to chambers. Solar Mosaic respectfully requests that the audio recordings be made part of the record.

As discussed in Solar Mosaic’s Motion, Exhibit H is an audio file containing a recording of an MPower Energy representative’s in-person visit with Plaintiff at her property. Exhibit J is an audio file containing a recorded telephone conversation between Plaintiff and Solar Mosaic on the day the loan contract containing the arbitration provision was signed. Both recordings are pertinent to the Motion.

Pursuant to Section 6.15 of the Electronic Case Filing Rules & Instructions, a party may seek leave of court to allow the non-electronic filing of exhibits when they are unable to comply with electronic filing under seal through the ECF system (e.g., audio files). The audio files at Exhibits H and J to the Motion cannot be converted to a form accepted by the ECF system.

Solar Mosaic further requests leave to lodge the Exhibit J audio file under seal. The recording contains personally identifiable information of Plaintiff Ana Segui. In particular, the recording

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contains Plaintiff's social security number and date of birth. The personal information is subject to the redaction requirements of the E-Government Act of 2002, as prescribed in the Notice Regarding Privacy and Public Access to Electronic Civil and Criminal Case Files.

Counsel for Plaintiff does not oppose this Motion but reserves all substantive objections. Counsel for Defendant MPower Energy LLC also does not oppose this Motion.

In light of the foregoing, Solar Mosaic respectfully requests the Court grant it leave to manually lodge Exhibit H and manually lodge under seal Exhibit J so that the audio files can be made part of the record while protecting Plaintiff's personally identifiable information.

We thank Your Honor for your considering this request.

Respectfully submitted,

TROUTMAN PEPPER
HAMILTON SANDERS LLP

By: Erin E. Edwards
Erin E. Edwards

cc: All Counsel of Record (via ECF)

The requests to manually lodge the two audio files, with the telephone conversation lodged under seal, are granted.

SO ORDERED.



Edgardo Ramos, U.S.D.J.
Dated: November 22, 2024
New York, New York